

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 29, 2005

D046875 Justice v. Superior Court of San Diego County/Superior Court of San Diego County
The petition for writ of mandate is dismissed for failure to pay the filing fee.

D046966 In re Consiglio on Habeas Corpus
The petition is denied.

D046876 Berkowitz v. Superior Court of San Diego County/De Matteo
The petition is denied.

D045587 People v. Gravely
The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., McDonald, J.

D046298 Keith P. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency
The request for publication of the opinion is denied.

Court convened at 10 a.m.

Present: The Honorable Alex McDonald, Acting Presiding Justice, and The Honorable Associate Justices James McIntyre and Joan Irion
Clerk: D. Moore

D044295 Padres, LP v. J. Bruce Henderson
Cause called on merits. Stephen M. Hogan, Esq. argued for appellant. Kathryn E. Karcher, Esq. argued for respondent. Mr.Hogan replied. Cause submitted.

Court adjourned at 10:35 a.m.

D045765 People v. Mallery
The judgment is affirmed. Huffman, Acting P.J., We Concur: McIntyre, J., O'Rourke, J.

D045948 Jeld-Wen Inc., etc. et al. v. Superior Court of San Diego County/Keener et al.
The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 30, 2005

D045894 In re T. R., a Juvenile

The order is affirmed. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D044354 People v. Fuller

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Haller, J.

D043926 Bank of America v. Williams, Jr.

Petition for rehearing is denied.

D045383 In re Eric Edward B., a Juvenile

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D045213 People v. Reid

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., Irion, J.

D046412 In re Alec B., a Juvenile

Upon filing an abandonment of appeal, the appeal is dismissed.

D046051 In re A. C., a Juvenile

The appeal is dismissed. McDonald, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D046714 In re D. C., a Juvenile

The appeal is dismissed. Irion, J.; We Concur: McConnell, P.J., McIntyre, J.

D046962 In re Sheppard on Habeas Corpus

The petition is denied.

D046913 In re McNelly on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 31, 2005

D046958 D'Anna v. Patterson

The appellant having failed to timely pay the filing fee, the appeal is dismissed.

D044286 People v. Manganaan

The judgment is affirmed. O'Rourke, J.; We Concur: McDonald, Acting P.J., McIntyre, J.

D046515 Amelia H. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. McConnell, P.J.; We Concur: Haller, J., O'Rourke, J.

D046871 In re Sharpe on Habeas Corpus

The petition is denied.

D046944 San Diego Community College District v. Superior Court of San Diego County/Allred et al.

The petition is denied.

D046643 In re Anna R., a Juvenile

The appeals are dismissed. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D046259 In re Trista B., a Juvenile

The judgment and order are affirmed. O'Rourke, J.; We Concur: McConnell, P.J., McDonald, J.

D045285 McIndoe et al. v. Olivos

The order is affirmed. Respondent is to recover her costs on appeal. CERTIFIED FOR PUBLICATION. McIntyre, J.; We Concur: Nares, Acting P.J., McDonald, J.

D046068 In re Blanca B., a Juvenile

The judgment is affirmed. McDonald, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

D046538 Monica G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

Let a writ of mandate issue directing the juvenile court to (1) vacate the orders made at the May 24, 2005 hearing terminating reunification services and setting a section 366.26 hearing, (2) issue a new order directing placement of the children with Monica, and (3) terminate jurisdiction. This opinion is final as to this court 10 days after the filing date. (Cal. Rules of court, rule 24(b)(3)). McIntyre, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D045128 People v. Marshall

The judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D047026 Lyttle et al. v. J and M Interior Specialties, Inc.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 1, 2005

D045586 People v. Tran

The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 2, 2005

D045482 Alexander v. Herstein et al.

The order is reversed. The trial court shall on remand enter an order granting the Hersteins' motion to strike the complaint under the anti-SLAPP statute. The Hersteins are entitled to costs on appeal. McDonald, J.; We Concur: McConnell, P.J., Haller, J.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Cynthia Aaron
Clerk: D. Moore

D045110 People v. Miani

Cause called on merits. Tracy L. Emblem, Esq. argued for appellant. Christopher Beesley, Deputy Attorney General argued for respondent. Ms. Emblem replied. Cause submitted.

Court recessed at 9:17 a.m. to change panel members. New panel members: The Honorable Judith McConnell, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Cynthia Aaron

D044387 Buchwalter v. City of Escondido

Cause called on merits. Mark Wagner, Esq. argued for respondent. Teresa Trucchi, Esq. argued for appellant. Cause submitted.

D044501 Dez Construction v. Calexico Unified School District

Cause called on merits. Beard Hobbs, Esq. argued for appellant. Martin A. Hom, Esq. argued for respondent. Mr. Hobbs replied. Cause submitted.

D044540 Garces et al. v. Cannon Pacific Services, LLC

Cause called on merits. Bruce Adelstein, Esq. argued for appellant. Audrey Powers Thornton, Esq. argued for respondent. Mr. Adelstein replied. Cause submitted.

D045354 Independent Association of Mailbox Center Owners, Inc. v. Superior Court

Matter called on merits. Peter Clark Lagarias, Esq. argued for petitioner. Barry M. Heller, Esq. argued for real party in interest, Mail Boxes etc. and Amos. Mr. Lagarias replied. Matter submitted.

Court recessed at 10:46 a.m.

D046940 In re Hightower

The petition is denied.

D045852 Law Offices of Anthony J. Allegrino II, P.C. v. Mather et al.

The appeal is dismissed pursuant to rule 17(a).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 2, 2005 (Continued)

D044300 AP-La Mesa, LLC. v. Pacific Church of Religious Science

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)). Pursuant to the stipulation, each party shall bear its own costs and attorney fees.

D045807 Ward v. DAW Industries, Inc.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)). Each party to bear own costs on appeal.

D047062 People v. Chen

The appeal filed on August 15, 2005, is dismissed.